

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

CELSIUS NETWORK LLC, et al.,

Debtors.

Case No. 22-10964 (MG)

**ORDER SCHEDULING ZOOM HEARING FOR DISCOVERY DISPUTE
BETWEEN UNSECURED CREDITORS COMMITTEE AND WITH THREE
PRO SE CREDITORS—OTIS DAVIS, ZACH WILDES AND SANTOS CACERES**

Counsel for the Unsecured Creditors Committee (“Committee”) has requested a court conference with three *pro se* creditors—Otis Davis (“Davis”), Zach Wildes (“Wildes”) and Santos Caceres (“Caceres”)—regarding a discovery dispute between the Committee and Davis, Wildes and Caceres as a result of their alleged failure to timely respond to subpoenas for production of documents.

Each of the *pro se* creditors has filed a proof of claim in this case. A dispute exists whether these creditors have any knowledge concerning an alleged “short squeeze” of the CEL Token which allegedly occurred in the time period approximately between June 12, 2022 and July 13, 2022. The Debtors and the Committee allege that the price of the CEL Token was manipulated because of the short squeeze such that the purported market value of the CEL Token on the Petition Date does not reflect the value of the CEL Token as of that date.

A dispute exists in this case that will be an issue during the confirmation hearing beginning on October 2, 2023, regarding the value of the CEL Token and whether the value was manipulated. The Committee served Davis, Wildes and Caceres with subpoenas for production of documents. The Committee may also seek their depositions.

The Committee alleges that Davis, Wildes and Caceres have failed to timely respond the subpoenas.

Therefore, the Court hereby schedules a Court hearing to be held using Zoom for Government at 4:00 pm, Monday, September 18, 2023 (New York time).ⁱ Counsel for the Committee, and each of Davis, Wildes and Caceres, shall each appear at the hearing.

This will not be an evidentiary hearing.

Other counsel-of-record or parties-in-interest in this case may appear at the hearing on a listen-only basis, but they will not be permitted to argue.

Counsel for the Committee shall serve a copy of this order on Davis, Wildes and Caceres on or before 5:00 pm, September 14, 2023 by email (the method by which Davis, Wildes and Caceres have communicated with the Committee, and shall promptly file a certificate of service on the docket.

IT IS SO ORDERED.

Dated: September 13, 2023
New York, New York

Martin Glenn

MARTIN GLENN
Chief United States Bankruptcy Judge

ⁱ The Court shall provide a Zoom link to those persons who have made an eCourtAppearance by 4 PM the business day before the hearing. Any party appearing at, listening to, or observing the Hearing, must make an electronic appearance, an eCourtAppearance, by using the eCourtAppearance portal located on the Court's website, <http://www.nysb.uscourts.gov/ecourt-appearances> or by clicking the "eCourtAppearances" tab on Judge Glenn's page of the Court's website at, <https://www.nysb.uscourts.gov/content/chief-judge-martin-glenn>. Appearances must be entered on or before 4:00 p.m. prevailing Eastern Time on September 15, 2023. After the deadline to make appearances passes, the Court will send Outlook invitations to those persons who made eCourtAppearances, using the email addresses submitted with those appearances.